

the responsibility of the enforcement of any code of fair competition except to require persons, natural or artificial, furnishing such materials or supplies to indicate that such materials or supplies have been furnished by a person who is a party to or subject to a code of fair competition, agreement, or license, approved, prescribed or issued under the terms of the National Industrial Recovery Act."

Amend Section 4, line 2, page 4 of the engrossed bill, strike the word "works" and insert in lieu thereof the word "workers".

Amend Section 6 by adding thereto the following ": Provided, That all contracts entered into previously to the passage of this act and now in force shall not be affected hereby."

Amend the bill further by inserting a new section to be known as Section 7 and to read as follows:

"Sec. 7. That nothing herein contained shall be construed to repeal or modify Remington's Revised Statutes, Sections 7642 to 7657 inclusive, or to repeal or modify any other state law now in force fixing hours of employment and/or wages therefor."

Amend Section 10, line 5 of the engrossed bill, strike the period after the word "passage" and add the following: "and approval by the Governor."

Amend the bill further by renumbering Sections 7, 8, 9 and 10 to read Sections 8, 9, 10 and 11; and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Arnold moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 92.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 92, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Arnold, Bishop, Chamberlin, Cox, Ferryman, Foss, Gable, Garrett, Heffron, Lovejoy, Malstrom, Mehner, Morrow, Murphy (James A.), Murphy (K.), Nelson, Nugent, Peirce, Ridgway, Ryan (J. H.), Ryan (Scott M.), Smith (Don Cary), Steele, Thein, Todd, Williams, Worum—27.

Voting nay: Senators Barnes, Cleary, Dawson, Gray, Hartwell, Houser, Howard, Lunn, Metcalf, Norman, Palmer, Ronald, Stinson, Voss—14.

Absent or not voting: Senators Knutzen, Morthland, Reardon, Roup, Smith (Horace E.)—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

REPORT OF CONFERENCE COMMITTEE.

OLYMPIA, WASH., January 11, 1934.

MR. PRESIDENT:

We, your Committee on Liquor Control Conference, to whom was referred Engrossed Senate Bill No. 7, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds and declaring that this act shall take effect immediately," with House amendments, have had the same under consideration, and we have reached an agreement and beg to report as follows:

The Senate to concur in all House amendments to Section 3; Senate to concur in House amendments to Section 4; Senate to concur in House amendments to Section 8; Senate to concur in House amendments to Section 12; Senate to concur in House amendment to Section 13; Senate to concur in House amendments to Section 16; Senate to concur in House amendment to Section 18; Senate to concur in House amendments to Section 20; Senate to concur in House amendment to Section 21;

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Senate to concur in House amendment to Section 22; Senate to concur in House amendments to Section 23; Senate to concur in House amendments to Section 24; Senate to concur in House amendment to Section 25; Senate to concur in House amendments to Section 27; Senate to concur in House amendment to Section 28; Senate to concur in all House amendments to Section 29, except that the House shall recede from that amendment reading as follows: Amend Section 29, line 12 of the printed engrossed bill by striking the period (.) and inserting in lieu thereof the following: "Provided further, every holder of a city or county license for the sale of beer by the glass, issued prior to December 1, 1933, shall be entitled to a state license as set forth in Section 23, subsection (5) of this act, said state license to be limited to the unexpired term of the city or county license; Provided further, for the year 1934 such licensee shall not be required to pay the license fee therein set forth, but in lieu thereof the amount shall be deducted from the re-allocation of funds to the respective cities and counties as set forth in Section 78, subsection (1): Provided further, that the Board shall have full power to cancel any license." Senate to concur in House amendment to Section 30; Senate to concur in House amendment to Section 31; Senate to concur in House amendments to Section 33; Senate to concur in House amendment to Section 34; Senate to concur in House amendment to Section 43; Senate to concur in House amendments to Section 45; Senate to concur in House amendment to Section 47; Senate to concur in House amendments to Section 52; Senate to concur in House amendment to Section 56; Senate to concur in House amendment to Section 59; Senate to concur in House amendment to Section 62; Senate to concur in House amendments to Section 63; Senate to concur in House amendment to Section 65; Senate to concur in House amendment to Section 66; the House to recede from House amendment to Section 69, reading as follows: Amend Section 69, line 3 of the printed engrossed bill, after the semicolon (;) insert the following: "Provided, That no liquor store shall be established within five hundred feet (500 ft.) of any public school." Senate to concur in the House amendment to Section 69, reading as follows: Amend Section 69, between lines 3 and 4 of the printed engrossed bill, insert a new paragraph to read as follows: "(aa) To appoint in incorporated cities and towns, in which no state liquor store is located, liquor vendors. Such liquor vendors shall be agents of the Board and be authorized to sell liquor to such persons, firms or corporations as provided for the sale of liquor from a state liquor store, and such vendors shall be subject to such additional rules and regulations consistent with this act as the Board may require." Senate to concur in House amendment to Section 73. Senate to concur in House amendment to Section 76, reading as follows: Amend Section 76, line 30 of the printed engrossed bill, strike the words "Such bonds" and insert in lieu thereof "Bonds issued under the provisions of this act"; the House to recede from House amendment to Section 76 reading as follows: Amend Section 76, beginning with the word "Bonds" in line 27 of the printed engrossed bill, strike all the matter down to and including the word "thereof" in line 30. The House to recede from House amendments to subsection (1) of Section 78; the Senate to concur in all other amendments to Section 78. The Senate to concur in House amendments to Section 79; Senate to concur in House amendment to Section 82; Senate to concur in House amendment to Section 84; Senate to concur in House amendment to Section 86; Senate to concur in House amendment to Section 89; Senate to concur in House amendment to Section 91; Senate to concur in House amendment to Section 92; Senate to concur in House amendment to Section 93; Senate to concur in House amendment to Section 96.

Senate Members:

E. N. STEELE,
DON CARY SMITH,
HORACE E. SMITH.

House Members:

J. T. LEDGERWOOD,
DAVE S. COHN,
JOHN W. EDDY.

Senator Steele moved that the Senate concur in the conference report on Engrossed Senate Bill No. 7.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 7, as amended by the conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bishop, Cleary, Cox, Dawson, Ferryman, Foss, Gable, Garrett, Gray, Howard, Lann, Malmstrom, Mehner, Metcalf, Nelson, Norman, Nugent, Palmer, Ronald, Ryan (J. H.), Smith (Don Cary), Smith (Horace M.), Steele, Stinson, Thain, Todd, Voss, Worum—29.

Voting nay: Senators Arnold, Chamberlin, Hartwell, Houser, Lovejoy, Morrow, Murphy (James A.), Murphy (K.), Peirce, Reardon, Ridgway, Ryan (Scott M.), Williams—13.

Absent or not voting: Senators Heffron, Knutson, Northland, Roup—4. The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

At this time Senator Houser arose on a point of personal privilege and requested that the following protest be entered upon the record:

Mr. President:

In conformity to the provisions of Title No. 51 of the Senate, I desire to enter herewith my protest against the action of the Senate in the passage of Senate Bill No. 7, and request that this protest be entered in the Journal.

The passage of this act is the most flagrant violation of the will of the people ever carried into effect by any legislature in the history of the Commonwealth. The people of the State of Washington twice expressed their disapproval of prohibition and the attendant effects which followed in their wake, both times by overwhelming majorities. At both elections the men and women of this state clearly conveyed the demand that all attempts to destroy the personal liberties of the individual must be abolished.

Today we witness the sorry spectacle of the chosen representatives of these same people enacting another prohibition law to take the place of the prohibitive legislation which the voters so decisively repealed. This bill is just another prohibition law and the same hypocrisy of those who drink wet and vote dry is forcing its enactment. Under its provisions the State of Washington would undertake to do what the National government failed to do—enforce prohibition.

The people by their ballot demanded the end of graft, bribery and corruption of public officials which grew to be a national scandal under the Eighteenth Amendment. The machinery set up by this bill provides means and methods of graft, bribery and corruption far greater than occurred under national prohibition.

Under the provisions of this act, if it ever becomes a law, the State of Washington would be the nesting place of bootlegging and the home port of rotten politics and corrupt politicians, the necropolis of the speakeasy, the blind tiger and the back alley joint.

If I had cast my vote for this bill in view of the action of the people upon this question, I would feel that I had violated the trust imposed by the people and joined in a seamy trick to thwart the will of the majority.

God protect the people of the State of Washington if they must continue to be represented by legislators who can so easily thrust aside the plain mandate of the voters.

PAUL W. HOUSER,

Senator 1st District.

Senator Chamberlin requested that he be recorded as concurring in the protest of Senator Houser.

The Secretary read:

SENATE RESOLUTION.

By Senator Malmstrom:

WHEREAS, Members of the Extraordinary Twenty-third Session of the Washington State Legislature and their families have, during the past session, enjoyed many courtesies and kindnesses extended to them by the residents of the City of Olympia; and

WHEREAS, They have made our visit pleasant and our duties less arduous during this past session; and

WHEREAS, The Hon. E. N. Steele, the Mayor of the City of Olympia, and other city officials of the City of Olympia have cooperated and worked with the members of the Extraordinary Twenty-third Session of the Legislature to make it a success.

Now, Therefore, Be It Resolved, That the Extraordinary Twenty-third Senate of the State of Washington does hereby express its appreciation of the hospitality of the citizens of Olympia and asks that a copy of this Resolution be spread upon the Senate Journal.

On motion of Senator Malmstrom, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION.

By Senator Worum:

Be It Resolved, by the Senate, that the expense of clerk hire necessary in the certification of the Session Laws of 1933 be paid out of the appropriation for legislative expenses, upon vouchers executed by the President and Secretary of the Senate.

On motion of Senator Worum, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION.

By Senator Thain:

Be It Resolved, by the Senate, that after the close of the session, the President and Secretary be authorized to execute proper vouchers to the State Auditor for the payment of any expenses that have been incurred by the Senate or that may be incurred in closing the business of the Senate, and which have not been paid at this time.

On motion of Senator Thain, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION.

By Senator Garrett:

WHEREAS, We, the members of the Senate, have had present with us co-laborers during the Extraordinary Twenty-third Session, not only the members of the House of Representatives, but also representatives of the Fourth Estate; and

WHEREAS, The visiting newspaper correspondents of the various public journals of the state have, by their frequent courtesies, their close attention to business, and their careful and correct account of the proceedings, worked, as we have strived to do, for the best interest of the people of the State of Washington, always with a kindly fellow feeling and with loyalty to the paper they represent; now therefore,

Be It Resolved, That the Senate extend to E. Q. Anderson, James De K. Brown, Ben Conner, Robert Cummings, E. B. Fussell, J. W. Gilbert, Frank G. Gorrie, E. F. Hultgren, Horace Lane, Clancy M. Lewis, Harry L. Lewis, Harrison W. Mason, M. M. Mattison, George A. Miller, Winston McCallum, Merritt McCully, Arthur L. Schoenl, and R. A. Seelig, its thanks for the courtesies and good will, its praise for good work well done, and the hope that in the Twenty-fourth Legislature all may meet again and renew old friendships.

On motion of Senator Ryan (J. H.), the name of W. E. Chambers of the United Press was included.

On motion of Senator Murphy (James A.), the name of Mrs. Adele Parker of the Women's Legislative Council was included.

On motion of Senator Foss, the name of Lester Hunt was included.

On motion of Senator Garrett, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION.

By Senator Smith (Don Cary):

Resolved, That George E. Starr, Secretary of the Senate, be authorized and directed to have a copy of the Senate Journal, together with a suitable index thereof, prepared for the State Printer and that he be allowed for this work and for compiling, editing, proof-reading and indexing the printed Journal the sum of three hundred fifty dollars (\$350.00), the amount allowed for that purpose in the appropriation bills. The State Auditor is authorized and directed to issue a warrant for one-half of the amount when the printer's receipt for copy is filed in his office, and the balance when the printer shall certify that the reading of the proof on the Journal index has been completed and the same found to be correct.

On motion of Senator Smith (Don Cary), the resolution was adopted.

The Secretary read:

SENATE RESOLUTION.

By Senator Ryan (J. H.):

Resolved, That the thanks of the Senate is hereby extended to the pastors of Olympia who served as chaplains during the session.

On motion of Senator Ryan (J. H.), the resolution was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 12, 1934.

Mr. President:

The Speaker has signed Substitute House Bill No. 15; also

Substitute House Bill No. 24; also

Substitute House Bill No. 215; also

House Bill No. 23; also

House Bill No. 29; also

House Bill No. 47; also

House Bill No. 60; also

House Bill No. 66; also

House Bill No. 92; also

House Bill No. 101; also

House Bill No. 113; also

House Bill No. 115; also

House Bill No. 153; also

House Bill No. 170; also

House Bill No. 192; also

House Bill No. 196; also

House Bill No. 203; also

House Bill No. 210; also

House Bill No. 211; also

House Bill No. 212; also

House Joint Resolution No. 13; also

House Joint Resolution No. 16, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

No. 15, also

Substitute House Bill No. 24, also

Substitute House Bill No. 215, also

House Bill No. 23, also

House Bill No. 29, also
House Bill No. 47, also
House Bill No. 60, also
House Bill No. 66, also
House Bill No. 92, also
House Bill No. 101, also
House Bill No. 113, also
House Bill No. 115, also
House Bill No. 163, also
House Bill No. 170, also
House Bill No. 192, also
House Bill No. 203, also
House Bill No. 210, also
House Bill No. 211, also
House Bill No. 212, also
House Joint Resolution No. 12, also
House Joint Resolution No. 15, also
House Joint Memorial No. 16, also
House Bill No. 196, also
Senate Joint Memorial No. 12, also
Senate Bill No. 93.

The Secretary read:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 12, 1934.

Mr. President:

The House has adopted the report of the Conference Committee on Engrossed Substitute House Bill No. 64, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

Senator Howard arose on a point of personal privilege and requested that the following protest to Senator Houser's protest be entered in the Journal:

The Honorable President of the Senate and Senators:

In accordance with Rule 51, I desire to have these remarks entered in the Journal. The Steele bill, Senate Bill No. 7, represents the honest, earnest effort, of the members of the Senate and the House to enact a regulatory liquor control bill.

A man who had been for many years a wholesaler of liquor in an eastern city, but who is now retired from the business, early in the session said to me: "You hear a great deal of noise about the liquor question. The noise is made by about 2% of the population, and the fellows that are making practically all the noise are the ones that want to get into the liquor business. The other 98% of the population are at home attending to their affairs and hoping that the efforts of the legislature will produce a workable law."

I want to say at this time that I believe that this law represents the opinion of the 98% of the people of this state. This will not suit the organized, articulate 2% of our population, but I believe it will meet the approval of the 98% unorganized, inarticulate part of the Commonwealth. That has been the motive in the minds of the legislators as they framed this liquor law.

When the framers of Initiative petition No. 61 drew the law which repealed the long dry law of the state, they knew the gravity and responsibility of this matter. They wrote their own law without let or hindrance from anyone. Yet, the first statement made the selling of liquor to a minor a felony, repealed all liquor laws, and then said: "Provided, That the repeals herein provided for shall not be construed or held to revive or make effective any statute or law providing for the licensing and operation of saloons."

I am quite certain that so far as a proper law and an absolute control of the liquor question is concerned, the matter is one of trial and error. We have a law; we have a liberal law; we have not let down the flood-gates for the unrestrained control of liquor selling, and it is the firm belief that this measure is a workable measure and that if given a trial will render satisfactory results to the people who are concerned in the matter of liquor control.

E. J. HOWARD,
Senator 14th District.

Senator Dawson wished to be recorded as concurring in Senator Howard's protest.

The Secretary read:

Senate Concurrent Resolution No. 8, by Senator Lovejoy:

Be It Resolved, by the Senate, the House concurring, that a joint committee of five members be appointed, two by the President and three by the Speaker, to notify the Governor that the Legislature is about to adjourn *sine die*.

On motion of Senator Lovejoy, the resolution was adopted.

On motion of Senator Lovejoy, the resolution was ordered transmitted to the House immediately.

The Secretary read:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 12, 1934.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 1, and passed the bill without certain House amendments. Said bill, together with copy of conference report, is herewith transmitted.

The Secretary read:

S. R. HOLCOMB, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 12, 1934.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 32, entitled: "An Act to encourage state and national industrial recovery by co-operating with the national government in fostering fair competition, providing penalties for violation and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

EVERETT ARNOLD, Chairman.
We concur in this report: W. F. Gray, C. Nifty Garrett.

On motion of Senator Arnold, the report of the committee was received.

MR. PRESIDENT:

SENATE CHAMBER,
OLYMPIA, WASH., January 12, 1934.

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 15, entitled: "An Act creating and establishing a state fire fund for insurance of public buildings and property of political subdivisions of the State of Washington, which now carries fire insurance or may hereafter do so; fixing the powers and duties of the State Insurance Commissioner in connection therewith; providing for the maintenance thereof and the payment and adjustment of losses; authorizing the State Insurance Commissioner to employ necessary help and incur and pay such other expenses as may be necessary, also purchase other insurance on certain classes of risks; limiting the amount of expense that may be incurred and repealing all acts in conflict

herewith," have compared same with the engrossed bill and find it correctly enrolled. Respectfully submitted,

EVERETT ARNOLD, Chairman.
We concur in this report: W. F. Gray, C. Nifty Garrett.

On motion of Senator Arnold, the report of the committee was received.

MR. PRESIDENT:
SENATE CHAMBER,
OLYMPIA, WASH., January 12, 1934.

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 7, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled. Respectfully submitted,

EVERETT ARNOLD, Chairman.
We concur in this report: W. F. Gray, C. Nifty Garrett.

On motion of Senator Arnold, the report of the committee was received.
The Secretary read:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 12, 1934.

To the Honorable, the Senate of the State of Washington:

LADIES AND GENTLEMEN: I have the honor to advise that the Governor has approved the following senate bill, entitled: Senate Bill No. 19:

"An Act authorizing and empowering cities of the State of Washington, in which units of the National Guard of the State of Washington are stationed, or are to be stationed, to acquire sites for and to construct armories, and to issue and sell general obligation bonds for said purposes."

Very truly yours,

RICHARD HAMILTON,

Secretary to the Governor.

The President announced he was about to sign Substitute House Joint Memorial No. 3, also

Substitute House Bill No. 5, also

House Bill No. 86, also

House Bill No. 156, also

House Bill No. 214, also

House Concurrent Resolution No. 7.

The Secretary read:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 12, 1934.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 8, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 12, 1934.

The Speaker has signed Senate Bill No. 23; also

Senate Joint Memorial No. 12, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.